

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CONVERGYS INFORMATION :
MANAGEMENT GROUP, INC. and :
CHUBB CUSTOM INSURANCE :
COMPANY, :

Plaintiffs :

-v- : Case No. CV-01-618
:(Judge Beckwith/Magistrate
: Judge Sherman)

IGATE CORPORATION, et al., :

Defendants :

- 0 -

The deposition of **DARIN BROWN**, taken before Susan K. Lee, CVR-CM, Court Reporter and Notary Public in and for the State of Ohio, at the law offices of Ulmer & Berne LLP, 600 Vine Street, Suite 2800, Cincinnati, Ohio, on the 13th day of February, 2004, beginning at the hour of 9:15 a.m. and ending at 5:12 p.m. of the same date.

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1 Q What was your understanding as to what
2 factor or influence the database corruption of
3 September of 1999 had on the decision to implement the
4 standby database?

5 MR. SHANK: Objection to foundation.

6 Calls for speculation.

7 THE WITNESS: My understanding is that
8 the standby database was implemented to provide
9 us with protection measures to prevent
10 corruption of the database.

11 BY MR. LUCAS:

12 Q How did the standby database provide
13 protection against the corruption of the database?

14 A I'll reword my answer slightly to the
15 standby database was implemented to improve recovery
16 time in the event of corruption of the database.

17 Q And the situation that existed with
18 respect to the September 17 events in this regard is
19 that earlier on September 17th a different Convergys
20 employee had performed certain functions which resulted
21 in archive files being missing that were the archive
22 files which would have contained or permitted the
23 restoration of the data that had been corrupted in
24 those 16 data files/17 data spaces; is that correct?

25 MR. SHANK: Objection to form.

1 BY MR. LUCAS:

2 Q And what was intended in terms of
3 protection by providing of the standby database is that
4 it would ensure that that type of situation did not
5 take place again in the future, correct?

6 A It would not be limited to that
7 particular type of scenario. It would also protect
8 against the type of mistake that Mr. Rao made.

9 Q That's what I asked you before. In
10 what way was the implementation of the standby database
11 providing protection against an actual data corruption
12 event?

13 A The standby database is an Oracle
14 feature where you keep a copy, basically an entire copy
15 of the database, on another server. And we take these
16 re-do log files, slash -- those become archive log
17 files and those get sent over to the standby database
18 and it keeps the standby database relatively current
19 with the production database.

20 Q So that doesn't prevent an actual data
21 corruption of the type that you believe Mr. Rao caused
22 on September the 17th of 1999, correct?

23 A It would not prevent the type of
24 corruption Mr. Rao caused, right.

25 Q What it does is that it provides

1 SRDF process, roll forward using the archive log files.

2 Q Now, Mr. Koopmans also believed that
3 the space of the archive log file system was increased.

4 A And that's listed here on this list is
5 why I did not mention it.

6 Q Do you recall what size it was
7 increased to?

8 A I don't know specifically how much
9 space was acquired. I know the goal was to be -- be
10 able to store three days' worth of archive logs.

11 Q Now, in discussing with Mr. Koopmans
12 Mr. DeCarlo's 1999 employee evaluation, there was a
13 reference to two major incidents in 1999 involving the
14 P2K project that created difficulties. One was the
15 September 17th data corruption and the other one, which
16 Mr. Koopmans called a major incident, he said you would
17 probably have more information on. Do you know of the
18 other incident or was there another incident in 1999
19 that resulted in significant problems in the P2K
20 project?

21 A In the October time frame, 1999, we
22 were having -- experiencing some Oracle issues, if I
23 recall correctly, related to what's called
24 fragmentation of the shared pool.

25 Q And how serious a problem was that?

C-E-R-T-I-F-I-C-A-T-I-O-N

STATE OF OHIO,

COUNTY OF HAMILTON, To-wit;

I, Susan K. Lee, CVR-CM, Court Reporter and Notary Public in and for the State of Ohio, do hereby certify;

That on the 13th day of February, 2004, there appeared before me pursuant to Notice and agreement of counsel, **DARIN BROWN**, as a witness in the previously entitled cause;

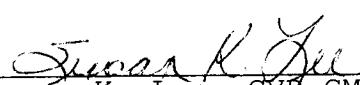
That the said witness was sworn by me and examined to tell the truth, the whole truth, and nothing but the truth in said cause;

That the deposition was taken by me via Stenomask and electronic recording and the foregoing 251 pages contain a true, full and correct transcription of all the testimony of said witness;

That the deposition was submitted to counsel for the witness for reading and signature;

That I am not related to or in any way associated with any of the parties to said cause of action, or their counsel, and that I am not interested in the event thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of February, 2004.



Susan K. Lee, CVR-CM
My commission expires:
August 30, 2004